

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEREK WASKUL, *et al.*,

Plaintiffs,

Case No. 16-cv-10936
Honorable Linda V. Parker

v.

WASHTENAW COUNTY
COMMUNITY MENTAL HEALTH,
et al.,

Defendants,

_____ /

ORDER GRANTING PLAINTIFFS' MOTION (ECF NO. 301) AND
AMENDED MOTION (ECF NO. 316) FOR STAY
AND PROTECTIVE ORDER

On December 1, 2023, Plaintiffs reached a settlement of this matter with Defendants Michigan Department of Health and Human Services (“DHHS”) and DHHS Director Elizabeth Hertel (collectively “State Defendants”). This settlement agreement is subject to Court approval. On December, 5, 2023, Plaintiffs filed a motion asking the Court to stay the proceedings pending approval of the settlement agreement and to issue a protective order against depositions noticed by Defendant Washtenaw County Community Mental Health (“WCCMH”). (ECF No. 301.) Plaintiffs filed an amended motion to stay on January 9, 2024. (ECF No. 316.) The State Defendants concur in the relief

sought. (*See, e.g.*, ECF No. 322.) Defendants WCCMH and Community Mental Health Partnership of Southeast Michigan (“CMHPSM”) oppose the first motion. (ECF Nos. 303, 307.) While WCCMH and CMHPSM respond to other arguments in Plaintiffs’ amended motion (*see* ECF Nos. 336, 341, 348, 349), they do not respond to the amended request to stay. The case was reassigned to the undersigned on February 14, 2024. (ECF No. 328.)

It has long been recognized that “the power to stay proceedings is incidental to the power inherent in every court to control the disposition of the cases on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. American Co.*, 299 U.S. 248, 254-55 (1936). “How this can best be done calls for the exercise of judgment, which must weigh competing interests and maintain an even balance.” *Id.*

Upon careful consideration of the parties’ briefs, and in the exercise of its discretion, the Court finds that a stay in this case while the motion to approve the settlement agreement is pending will best conserve the resources of counsel, the litigants, and the Court, and avoid multiple proceedings. Significantly, one issue to be resolved as part of the motion to approve settlement agreement is whether it binds WCCMH and CMHPSM. A resolution of that issue will possibly make further proceedings unnecessary.

Accordingly,

IT IS ORDERED that Plaintiffs' motion to stay and for protective order (ECF No. 301) and amended motion to stay (ECF No. 316) are **GRANTED** and all proceedings in this matter unrelated to the motion to approve the settlement agreement are **STAYED** until further order of the Court.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: August 9, 2024